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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,553	12/27/2001	Hubert Gehring	Q67543	9577

7590 07/14/2004

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EXAMINER	
MOSLEHI, FARHOOD	
ART UNIT	**PAPER NUMBER**
2152	9

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/026,553	GEHRING ET AL.	
	Examiner	Art Unit	
	Farhood Moslehi	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 April 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-24 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3,9-12,16-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Attal (5,860,010).

4. As per claim 1, Attal teaches a system for transmitting data between a local data processing device and a remote data processing device through an asynchronous transmission channel for use with distributed objects in the field of automation technology, said system comprising:

A memory assigned to the local data processing device for storing at least one predefinable parameter to identify a call sent by a first program of the local data processing device to a second program of the remote data processing device to solicit data from the second program of the remote data processing device to the local data processing device (e.g. col. 2, lines 11-23);

Means for integrating the predefinable parameter into response data sent by the remote data processing device to the local data processing device (e.g. col.1, lines 40-59);

Means for identifying the predefinable parameter in the response data (e.g. cols. 6 and 7, lines 64-67 and 1-14 respectively); and means for synchronizing the response data such that by identifying the predefinable parameter in the response data, the response data of the second program of the remote data processing device is integrated into the first program of the local data processing device (e.g. cols. 6 and 7, lines 64-67 and 1-14 respectively).

5. As per claim 11, it is rejected for similar reasons as stated above.

6. As per claim 18, it is rejected for similar reasons as stated above.

7. As per claim 2, Attal teaches a system further comprising: means for comparing the stored predefinable parameter stored in said memory of the local data processing device with the predefinable parameter contained in the response data (e.g. col. 14, lines 16-23).

8. As per claim 12, it is rejected for similar reasons as stated above.

9. As per claim 19, it is rejected for similar reasons as stated above.

10. As per claim 3, Attal teaches a system wherein the first program of the local processing device is a user program and the second program of the remote data processing device is a server program (e.g. col. 18, lines 48-62).

11. As per claim 20, it is rejected for similar reasons as stated above.

12. As per claim 9 Attal shows a system wherein the second data processing device stores the predefined parameter received from the first data processing device on a stack and restores the predefined parameters before a callback is sent to the first data

processing device (e.g. col. 14, lines 16-20, it is inherent for the comparison of two parameters to occur the distributed system stores the parameter on the stack).

13. As per claim 16, it is rejected for similar reasons as stated above.

14. As per claim 10, Attal shows a system wherein a user callback is constructed identically to an original call (e.g. col. 6, lines 4-20).

15. As per claim 17, it is rejected for similar reasons as stated above.

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

17. Claims 4,5 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Attal in view of King (6,587,122).

18. As per claim 4, Attal does not specifically show a system, wherein the system is used in the field of automation technology to operate and monitor programmable controllers. King clearly shows a system, wherein the system is used in the field of automation technology to operate and monitor programmable controllers (e.g. col. 6, lines 39-45). It would have been obvious to one of ordinary skill in the art at the time the invention was mode to combine Attal and King. The motivation would have been to

provide for a distributed automated system for faster processing and control of industrial systems.

19. As per claim 5, Attal does not specifically show a system wherein the program controllers are selected from the group comprising, stored program controllers, numerical controls and numeric drives. King shows a system wherein the program controllers are selected from the group comprising, stored program controllers, numerical controls and numeric drives (e.g. col. 6, lines 45-54). It would have been obvious to one of ordinary skill in the art at the time the invention was mode to combine Attal and King. The motivation would have been to provide for distributed controls with minimal overhead for faster processing of industrial automated systems.

20. As per claim 21, it is rejected for similar reasons as stated above.

21. Claims 6,13 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Attal in view of Dan et al. (6,148,290) (hereinafter Dan).

22. As per claim 6, Attal does not specifically show a system wherein the predifinable parameter is formed at least from parts of the IDL (Interface Definition Language) transmitted by the first program to the second program. Dan shows a system wherein the predifinable parameter is formed at least from parts of the IDL (Interface Definition Language) transmitted by the first program to the second program (e.g. col. 2, lines 38-50). It would have been obvious to one of ordinary skill in the art at the time the invention was mode to combine Attal and Dan. The motivation would have been to create a standard between the two programs for communications.

23. As per claim 13, it is rejected for similar reasons as stated above.

24. As per claim 22, it is rejected for similar reasons as stated above.

25. Claims 7,8,14,15,23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Attal in view of Judge et al. (6,430,570) (hereinafter Judge).

26. As per claim 7, Attal does not specifically show a system wherein the system is used in connection with client applications in embedded systems. Judge shows a system wherein the system is used in connection with client applications in embedded systems (e.g. col. 5, lines 20-30). It would have been obvious to one of ordinary skill in the art at the time the invention was mode to combine Attal and Judge. The motivation would have been for smaller applications to function in a distributed system, thus reducing the overhead.

27. As per claim 14, it is rejected for similar reasons as stated above.

28. As per claim 23, it is rejected for similar reasons as stated above.

29. As per claim 8, Attal does not specifically show a system wherein, the embedded systems are DCOM (Distributed Component Object Model) systems. Judge shows a system wherein, the embedded systems are DCOM (Distributed Component Object Model) systems (e.g. col. 5, lines 30-36). It would have been obvious to one of ordinary skill in the art at the time the invention was mode to combine Attal and Judge. The motivation would have been to make the embedded client objects more standard.

30. As per claim 15, it is rejected for similar reasons as stated above.

31. As per claim 24, it is rejected for similar reasons as stated above.

32. Applicant" arguments filed 4-21-2004 have been fully considered but are not persuasive.

33. In the remarks, applicants argued in substance that (1) Attal does not disclose transmitting data between a local data processing device and a remote data processing device through an asynchronous transmission channel for use with distributed objects in the field of automation technology. For an identification or synchronization of response data at least one predefinable parameter provided for identifying the call of a first program sent to a second program is stored in the local data processing device. The predefinable parameter is integrated into the response data.

34. As to point (1) Attal discusses a message in symbolic language is sent from an interpreter running on one machine to another interpreter in another machine. Moreover Attal teaches the exchange of not only data but functions and parameters between local and remote systems (e.g. col. 2, lines 26-45).

35. In the remarks, applicants argued in substance that (2) Attal does not deal with sending messages from a local to a remote data processing device.

36. As to point (2) Attal discloses that the interaction between a requesting component and information supplying component is obtained by means of messages sent between the two components. The two components reside on separate computer systems. Moreover the Management Information Base requests consist of parameters that have been requested from one system to the other. (e.g. col. 7, lines 3-14).

37. In the remarks, applicants argued in substance that (3) Attal does not anywhere, specifically not within the passage cited, disclose integrating a predefinable parameter, a parameter that identifies a call, into data sent in response to that call.

38. As to point (3) Attal discusses an object manager that supplies information to an application emitting a request, the integrator will communicate via an interface with a component which manages the attribute values of a managed object from the management information base. The attribute values are predefinable parameters as described by the applicants (e.g. col. 7, lines 45-51).

Conclusion

39. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhood Moslehi whose telephone number is 703-305-8646. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 703-305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fm

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